

**ABE Protocol 12/10/2007**

**DIRECTIVE 2002/91/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF  
16 DECEMBER 2002 ON THE ENERGY PERFORMANCE OF BUILDINGS**

**Agreement between the Scottish Building Standards Agency (SBSA) and  
The Association of Building Engineers (ABE )**

**Energy Performance Certificates (EPCs) for Existing Buildings**

This is an agreement regarding the certification activities of ABE to identify members qualified to deliver services in relation to articles 7 and 10 of the Energy Performance Building Directive (EPBD) 2002/91/EC, and in compliance with all relevant building standards legislation in relation to existing buildings.

ABE agree to support the implementation of the EPBD in Scotland by identifying qualified members. This will be achieved by ensuring that:

- all members have met the required professional criteria for membership of ABE;
- all members have a knowledge of Scottish building standards regulations and procedures;
- all members adhere to the ABE rules of conduct; and
- published disciplinary procedures are followed when necessary.

ABE members identified as qualified to prepare Energy Performance Certificates (EPCs) will have obtained training on:

- the use of Standard Assessment Procedure (SAP), Reduced Standard Assessment Procedure (rdSAP), Simplified Building Energy Model (SBEM) calculation tool or an approved alternative - with respect to the Scottish building standard regulations; and
- identification of cost effective energy improvements.
- energy audit surveying techniques where applicable.

ABE agree to provide to the SBSA on a six monthly basis the number of members accredited to complete EPCs.

We accept the above conditions.

Signed..... (on behalf of ABE)      Date.....

Signed..... (on behalf of SBSA)      Date.....

**Background Information**

*Purpose of the Directive*

1. On 4 January 2003, Directive 2002/91/EC of the European Parliament and of the Council came into force. The objective of this Directive is to promote improvement of the energy performance of buildings and Member States of the European Union need to bring into force the laws, regulations and administrative provisions necessary to achieve compliance.

*Application and Timetable*

2. By taking forward the Directive using the building standards system, many of the primary legislative measures were already in place, particularly with regard to enforcement issues, sanctions and most importantly, maintenance of the procedures which underlie the implementation strategy.

3. Following a public consultation issued on 15 May 2006 by the Scottish Building Standards Agency (SBSA) it was decided that the implementation of Article 7 relating to the generation and display of Energy Performance Certificates (EPCs) would be rolled out at follows:

Construction	- May 2007
Sale	- 2008*
Rental	- January 2009
Public buildings	- Summer 2008

\*introduction to align with proposed Single Survey

*Delivery*

4. Article 10 of the Directive requires that the certification of buildings be carried out "in an independent manner by qualified and/or accredited persons". In Scotland for existing buildings these independent assessments can be undertaken by recognised professional and trade organisations. The SBSA will enter into protocol arrangements with these bodies providing that they meet basic criteria which include:

- the membership are required to adhere to a published code of conduct;
- have disciplinary procedures in place;
- undertake that members will obtain appropriate training to allow for completion of a EPC.

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### *Organisation Details - SBSA*

5. The SBSA has been set up as an executive agency of the Scottish Executive to undertake the national functions related to the new building standards system. One purpose of the building standards system is to ensure that new buildings and work on existing buildings are designed and constructed to secure the health, safety, welfare and convenience of persons in and around buildings, to further the conservation of fuel and power, and further the achievement of sustainable development. Regulations are made by Scottish Ministers, subject to approval by the Scottish Parliament and compliance with these for individual buildings is checked by verifiers (local authorities).

### *Organisation Details – ABE*

6. The Association of Building Engineers (ABE) is the professional body for those specialising in the technology of building. Founded in 1925 under the name "The Incorporated Association of Architects and Surveyors", the ABE provides the prime qualification Building Engineer, a title that exactly reflects the professional expertise of members and one that is readily understood in the European Union and beyond. It has a wide-ranging membership, drawn from both within the United Kingdom and overseas, and enjoys freedom from constitutional restraints. These advantages combine to give it a unique independence and breadth of influence, with consequent national and international recognition of its qualifications both in the public and private sectors and in the construction industry at large where it is represented on educational, codes and standards, legislative, technical and other advisory bodies.

### 7. The Objectives of the ABE

The objectives for which the ABE was established are:

To promote and advance the knowledge,

study and practice of each and all of the arts and sciences concerned with building

planning, design, construction, maintenance and repair of the built environment and the creation and maintenance of a high standard of professional qualification,

To encourage and facilitate co-operation between the construction professions.

## ABE Protocol 12/10/2007

Annex B

Table of Documents which form Part of the Protocol

Appendix 1	ABE Code of Conduct
Appendix 2	The ABE Continuing Professional Development Programme (Pamphlet on CPD and ABE requirements plus copy of our Training and Development Prospectus)
Appendix 3	ABE Memorandum Articles and Bye-laws
Appendix 4	ABE Complaints procedure (Disciplinary Procedures contained within Memorandum Articles and Bylaws)
Appendix 5	Format of report to be issued to SBSA
Appendix 6	Legislation: <ul style="list-style-type: none"><li>• Building (Scotland) Act 2003</li><li>• The Building (Procedure) (Scotland) Regulations 2004</li><li>• The Building (Scotland) Amendment Regulations 2006</li><li>• The Building (Procedure) (Scotland) Amendment Regulations 2007</li><li>• The Building (Forms) (Scotland) Amendment Regulations 2007</li><li>• The Building (Scotland) Amendment Regulations 2007</li></ul>